

**2013 DRAFTING REQUEST**

**Assembly Amendment (AA-AB40)**

Received:	<b>5/29/2013</b>	Received By:	<b>mkunkel</b>
Wanted:	<b>As time permits</b>	Same as LRB:	
For:	<b>Legislative Fiscal Bureau 6-5996</b>	By/Representing:	<b>Pope</b>
May Contact:		Drafter:	<b>mkunkel</b>
Subject:	<b>Higher Education - UW System</b>	Addl. Drafters:	
		Extra Copies:	<b>PG</b>

Submit via email: **YES**  
 Requester's email: **Legislative Fiscal Bureau**  
 Carbon copy (CC) to:

**Pre Topic:**

LFB:.....Pope -

**Topic:**

University of Wisconsin omnibus motion: WiscNet

**Instructions:**

See attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel 5/29/2013	jdye 5/29/2013	jmurphy 5/29/2013	_____			
/P1	mkunkel 6/4/2013			_____	lparisi 5/29/2013		
/P2		evinz 6/4/2013	jmurphy 6/4/2013	_____	mbarman 6/4/2013		

FE Sent For:

**<END>**

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/?	mkunkel 5/29/2013	jdyer 5/29/2013	jmurphy 5/29/2013	_____			
/P1		1p2 eeV 6/4/13	Jm 6/4	_____	lparisi 5/29/2013		
FE Sent For:			Jm 6/4	Jm 6/4			

<END>

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/?	mkunkel	PI 5/29 jld	Jim 5/24	self			

FE Sent For:

<END>

Representative Nygren  
Senator Darling  
Senator Harsdorf  
Representative Strachota

UNIVERSITY OF WISCONSIN SYSTEM  
HIGHER EDUCATIONAL AIDS BOARD

Omnibus Motion  
[LFB Papers #365 to 367, #675 to 683]

Motion:

Move to make the following modifications to the bill related to the University of Wisconsin System:

1. *PR Appropriation Balances:* Direct the UW System to develop an appropriate methodology to calculate the tuition and extension fees appropriation balances and other relevant appropriation balances. Require the UW System to submit this proposed methodology to the Joint Audit Committee by September 1, 2013, for its review and approval. In addition, require the UW System to submit proposed appropriation balance limits for the UW System as a whole, and for individual UW institutions and related reporting requirements, by January 1, 2014, to the Joint Finance Committee for approval through a 14-day passive review process. Further, require the submission for JFC approval to also include UW System policies regarding: (1) the annual distribution of tuition revenues and state GPR funds to UW institutions; and (2) the expenditure of GPR funds and tuition revenues during the fiscal year.

In addition, adopt Alternative #B1 of Paper #675, which would specify that undergraduate, resident tuition in 2013-14 and 2014-15 cannot exceed the amount charged at each institution in 2012-13. Specify that only differential tuitions approved prior to June 1, 2011, would be exempt from this limit. In addition, specify that the allocable portion of segregated fees charged at each UW institution in 2013-14 and 2014-15 cannot exceed the amount charged in 2012-13.

RAC 2. *GPR Funding Increase and Compensation Plans:* Adopt Alternative #4 of Paper #676 which would transfer the GPR funding provided for compensation increases for UW employees to the compensation reserve and delete the related statutory language. In addition, delay the effective date of provisions adopted under 2011 Act 32 related to the creation of personnel systems for UW employees that would be separate from the state personnel system until July 1, 2015. Specify that the personnel systems would have to be approved by the Joint Committee on Employment Relations before they could take effect. [-\$32,388,500 GPR and \$32,388,500 GPR compensation reserves in 2013-14 and -\$57,056,000 GPR and \$57,056,000 GPR compensation reserves in 2014-15]

3. *Base Budget Reduction:* Reduce the UW System's GPR general program operations appropriation by \$32,844,300 annually.

8. *Plan for Funding Initiatives with PR Appropriation Balances:* Require the Board of Regents to submit a plan to the Joint Committee on Finance identifying the sources of the PR funds that would be used to fund the incentive grant program, Carbone cancer center translational imaging research at the Carbone cancer center, the medical school programs, and the flexible option as described in items #4-7 of this motion. Specify that the plan should be submitted within 90 days of the effective date of the bill and would be approved by the Joint Committee on Finance through a 14-day passive review process.

70 R 9. *Core General Education Courses Transfer Agreement:* Adopt Alternatives #1 and #4 of Paper #681 which would delete the phrase "without loss of credit toward graduation or toward completion of a specific course of study" and replace it with "and would satisfy general education requirements at the receiving institution."

G 10. *Eligibility of Veterans for Tuition and Fee Remissions:* Adopt Alternatives #1 and #2 of Paper #682 which would specify that a veteran must have been a resident for five consecutive years immediately preceding enrollment to be eligible for tuition and fee remissions and delay the effective date of the requirement that a veteran maintain a cumulative grade point average of at least 2.0 to remain eligible for tuition and fee remissions until the first semester beginning after January 1, 2014.

16 11. *Eligibility of Children and Spouses of Certain Veterans for Tuition and Fee Remissions:* Adopt Alternatives #1 and #2 of Paper #683 which would restore the current law requirement that the veteran must have been a Wisconsin resident at the time of entry into service for children and spouse benefits to be received and delay the effective date of the requirement that a student maintain a cumulative grade point average of at least 2.0 to remain eligible for tuition and fee remissions until the first semester beginning after January 1, 2014.

MM 7 12. *Transfer Funds from the UW PR Appropriation Balances to WHEG-UW Program Under HEAB:* Create a new PR appropriation under HEAB for the WHEG-UW program and transfer \$58,345,400 in 2013-14 from the UW System's PR appropriation balances to the new appropriation. Delete the \$58,345,400 GPR in 2013-14 that would be provided under the bill for the WHEG-UW program. Repeal the PR appropriation that would be created for the WHEG-UW program on June 30, 2015.

16 13. *Mandatory Refundable Fees:* Specify that the Board of Regents may provide students with the opportunity to pay an additional fee to support inter-institutional student government organizations but may not require students to pay such fees whether or not they are refundable.

10 R 14. *Report on Fees:* Require the Board of Regents to provide a list of all fees charged to students at each institution and the amounts by which these fees have increased in each of the last five years to the Joint Finance Committee and the Joint Audit Committee annually by October 15.

15 R 15. *WiscNet:* Delete the AB 40 provision and instead permit the Board of Regents, each UW institution, each UW Colleges campus, and the UW-Extension to serve as a member, shareholder, or partner in or with such third-party entities that satisfy one of the following conditions: (1) the primary purpose is to advance the academic research of higher education

28  
establishments and the Board, institution, UW College campus, or the UW-Extension served as a member, shareholder, or partner in or with the third-party entity on February 1, 2013; or (2) prior to service as a member, shareholder, or partner, the Secretary of the Department of Administration issues a determination to the Board, institution, UW Colleges campus, or the UW-Extension that the primary purpose of the third-party entity is to advance the academic research of higher education establishments. Provide that the Board, each UW institution, each UW Colleges campus, or the UW-Extension may use the services of such third-party entities that satisfy the conditions in par. (1) and (2) above. Modify current law to permit the Board, each UW institution, each UW Colleges campus, or the UW-Extension to participate in the operations of, provide telecommunications services for the purpose of interconnection to, or provide technical support services to, a those third-party entities that satisfy the conditions in par. (1) or (2) above but only in connection with the use of the services offered by those third-party entities. Define "interconnection" as linking with a third-party network for the mutual exchange of traffic. ✓

In addition, specify that the definition of "third-party entity" would include Broadband Optical Research, Education and Sciences Network, Internet2, and the Northern Tier Network Consortium, and does not include WiscNet or its affiliates, successors, or assigns. per Emily - This shouldn't raise contract issues.

3W Beginning on January 1, 2014, prohibit the Board of Regents from employing any individuals who are also employed by WiscNet, prohibit the Board of Regents from permitting WiscNet to occupy any facilities owned or leased by the Board of Regents, and prohibit the Board of Regents from owning any assets or property in conjunction with WiscNet. prohibit joint ownership - per Emily 5-24 phone call

16. *Reestimate Wisconsin Covenant Scholars Grants:* Adopt Alternative #A2 from Paper #365 which would reestimate Wisconsin Covenant Scholars grant program expenditures at \$9,230,000 GPR in 2013-14 and \$12,170,000 GPR in 2014-15. Decrease funding under the bill for the Wisconsin Covenant Scholars grant program by \$2,820,000 GPR in 2013-14 and \$3,940,000 GPR in 2014-15 compared to the bill. In addition, adopt Alternative #B1 which would set maximum grant amounts for third and fourth year students equal to the maximum grant amounts for first and second year students established by HEAB administrative rule. In addition, modify the Wisconsin Covenant Scholars grant appropriation such that it is a sum sufficient appropriation, which would allow HEAB to fully fund the statutory grant amounts in the case that actual demand exceeds budgeted funding.

17. *Funding for WHEG-TCS and Tuition Grant Programs:* Provide \$2,000,000 GPR for the Wisconsin higher education grant (WHEG) program for technical college students and \$1,000,000 GPR for the tuition grant program in 2013-14.

18. *Dental Education Contract:* Adopt Alternative #1 from Paper #366.

19. *Minnesota-Wisconsin Student Reciprocity:* Reestimate payments under the agreement at \$8,250,000 GPR in 2013-14 and \$7,200,000 GPR in 2014-15, which would be \$350,000 less in 2013-14 and \$1,400,000 less in 2014-15 compared to the bill (Paper #367).



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBb0178/P1

MDK/jld/plr

Stays

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**  
**ASSEMBLY AMENDMENT ,**  
**TO ASSEMBLY BILL 40**

boas2/P1

RM NOT  
RUN

INSERT 1-6

1 At the locations indicated, amend the bill as follows:  
2 **1.** Page 428, line 10: after that line insert:  
3 "SECTION 605g. 36.585 (1) (a) of the statutes is renumbered 36.585 (1) (ar).  
4 **SECTION 605r.** 36.585 (1) (ag) of the statutes is created to read:  
5 36.585 (1) (ag) "Interconnection" means linking with a third-party network for  
6 the mutual exchange of traffic."

7 **2.** Page 429, line 1: before "does not" insert "includes the Broadband Optical  
8 Research, Education and Sciences Network, Internet2, and the Northern Tier  
9 Network Consortium, and".

10 **3.** Page 429, line 2: after "WiscNet" insert "or its affiliates, successors, or  
11 assigns".

12 **4.** Page 429, line 4: delete "any" and substitute "either".



**5.** Page 429, line 6: delete that line and substitute:

“1. The primary purpose of the third-party entity is to advance academic research of higher education establishments and the board,”.

**6.** Page 429, line 11: delete that line and substitute “extension that the primary purpose of the third-party entity is to advance academic research of higher education establishments.”.

**7.** Page 429, line 15: delete “or provide telecommunications services or technical” and substitute “provide telecommunications services for the purpose of interconnection to, or provide technical”.

(END)

INSERT 2-9

d-note  
↓

**2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBb0252/P1ins  
MDK:.....

**INSERT 1-6:**

**1.** Page 429, line 1: delete lines 1 and 2 and substitute:

“36.585 (3m) (a) In this subsection:

1. “Third-party entity” includes the Broadband Optical Research, Education and Sciences Network, Internet2, and the Northern Tier Network Consortium, and does not include WiscNet.

2. “WiscNet” includes its affiliates, successors, or assigns.”.

**INSERT 2-9:**

**2.** Page 429, line 17: after that line insert:

“**SECTION 608m.** 36.585 (3r) of the statutes is created to read:

36.585 (3r) Beginning on January 1, 2014, the board may not do any of the following:

(a) Employ any individual who is also employed by WiscNet.

(b) Allow WiscNet to occupy any facilities owned or leased by the board.

(c) Jointly own any assets or property with WiscNet.”.

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

*date*

LRBb0252/P1dn

MDK:.....

*jld*

Emily Pope: ✓

I assumed that the prohibitions beginning on January 1, 2014<sup>3</sup> should apply to WiscNet, as well as its affiliates, successors, and assigns. ✓ Therefore, I created a definition of "WiscNet" that includes those entities. ✓ \*

Mark D. Kunkel  
Senior Legislative Attorney  
Phone: (608) 266-0131  
E-mail: mark.kunkel@legis.wisconsin.gov

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBb0252/P1dn  
MDK:jld:jm

May 29, 2013

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E-mail: [mark.kunkel@legis.wisconsin.gov](mailto:mark.kunkel@legis.wisconsin.gov)



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBb0252/P1

MDK:jld:jm

PJ  
Leev  
RM  
has  
been  
sua

LFB:.....Pope – University of Wisconsin omnibus motion: WiscNet

**FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION**  
**ASSEMBLY AMENDMENT ,**  
**TO ASSEMBLY BILL 40**

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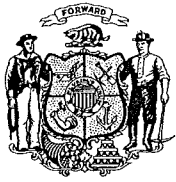
7. Page 429, line 17: after that line insert:

“SECTION 608m. 36.585 (3r) of the statutes is created to read:

36.585 (3r) Beginning on January 1, 2014, the board may not do any of the <sup>affiliates</sup> following:

- (a) Employ any individual who is also employed by WiscNet <sup>or its affiliates, successors, or assigns</sup>
- (b) Allow WiscNet to occupy any facilities owned or leased by the board.
- (c) Jointly own any assets or property with WiscNet.”.

(END)



State of Wisconsin  
2013 – 2014 LEGISLATURE



LRBb0252/P2  
MDK:jld&eev:jm

LFB:.....Pope – University of Wisconsin omnibus motion: WiscNet

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**(END)**